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PCT LEGAL
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June 13, 2008

Fax

Name: PCT Legal Office
Organization: United States Patent and Trademark Office
Fax: 1-571-273-0459

From: Michael O. Scheinberg
P.O. Box 164140
Austin, Texas 78716-4140

Phone: (512) 637-0800
Fax: (512) 306-1963
Subject: Petition to Withdraw Abandonment
Docket No.: F146
Pages: 10 (including this coversheet)

APPLICATION: 10/588,981
INVENTOR: Roderick Boswell
FILING DATE: August 10, 2006
TITLE: Charged Particle Extraction Device and Method of Design There For

In connection with the above-identified patent application, applicants submit the following:

1. Petition for Withdraw Holding of Abandonment (in duplicate) (1 pp.)
2. ADS As Filed (2 pp.)
3. Notification of Missing Requirements (2 pp.)
4. PCT/DOE/EO/905 (3 pp.)

Michael O. Scheinberg
Reg. No. 36,919

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Attorney Docket No.: F146

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.: 10/588,981

FILING DATE: August 10, 2005

INVENTOR: Roderick Boswell and Orson Sutherland

TITLE: Charged Particle Extraction Device and Method of Design There For

PCT Legal Office
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION UNDER 37 CFR 1.181(a) FOR WITHDRAW
HOLDING OF ABANDONMENT**

Applicants petition for withdrawal of the holding of abandonment for the above-mentioned patent application. The case was abandoned through error of the U.S. Patent and Trademarks Office.

The USPTO mailed a "Notice of Missing Requirement (FORM PCT/DOE/EO/905)" to an incorrect address on October 18, 2006. Applicants did not receive the Notice. Applicants had provided the correct correspondence information to the USPTO on the "Transmittal Letter to the United States Designate/Elected Office (DO/EO/US) Concerning a Submission under 35 U.S.C. 371" and on the accompanying "Application Data Sheet," but the PTO apparently erred when entering the Attorney Registration Number as the Customer Number. The missing material required by the Notice was submitted March 27, 2008.

While Applicants do not believe any fees are due as the error was through the fault of the Patent and Trademark Office, the Office is hereby authorized to charge any fees or credit any overpayments to deposit account No. 50-1635.

Respectfully submitted,

Dated: 6/13/08By: 

Michael O. Scheinberg
Pat. Reg. No. 36,919
P.O. Box 164140
Austin, TX 78716-4140
Telephone: (512) 637-0800
Facsimile: (512) 306-1963

Attorney Docket No.: F146

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.: 10/588,981

FILING DATE: August 10, 2005

INVENTOR: Roderick Boswell and Orson Sutherland

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PCT Legal Office
Commissioner for Patents
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Alexandria, VA 22313-1450**PETITION UNDER 37 CFR 1.181(a) FOR WITHDRAWAL
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Respectfully submitted,

Dated: 6/13/08By: Michael O. Scheinberg
Pat. Reg. No. 36,919
P.O. Box 164140
Austin, TX 78716-4140
Telephone: (512) 637-0800
Facsimile: (512) 306-1963

APPLICATION DATA SHEET**Application Information**

Application Type::	Regular
Subject Matter::	Utility
Title::	Charged Particle Extraction Device And Method Of Design There For
Attorney Docket Number::	F146
Request for Early Publication?::	No
Request for Non-Publication?::	No
Suggested Drawing Figure::	Fig. 2
Total Drawing Sheets::	4
Small Entity::	No

Applicant Information

Applicant Authority Type::	Inventor
Primary Citizenship Country::	Australia
Status::	Full Capacity
Given Name::	Roderick
Family Name::	Boswell
City of Residence::	O'Connor
State or Province of Residence::	Australian Capital Territory (ACT)
Country of Residence::	Australia
Street of Mailing Address::	17 Wongoola Close
City of Mailing Address::	O'Connor
State or Province of Mailing address::	Australian Capital Territory (ACT)
Postal or Zip Code of Mailing Address::	3617

Applicant Authority Type::	Inventor
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Status::	Full Capacity
Given Name::	Orson
Family Name::	Sutherland
City of Residence::	O'Connor

State or Province of Residence:: Australian Capital Territory (ACT)
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Postal or Zip Code of Mailing Address:: 3617

Correspondence Information

Correspondence Customer Number:: 25,784

Representative Information

Representative Customer Number::	25,784
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Foreign Priority Information

Country::	Application No.::	Filing Date::	Priority Claimed::
PCT	PCT/US2004/034984	16 October 2004	Yes
Australia	2003905709	17 October 2003	Yes

Assignee Information

Assignee Name:: FEI Company
Street or Mailing Address:: 5350 NE Dawson Creek Drive
City of Mailing Address:: Hillsboro
State or Providence of Mailing Address:: Oregon
Postal or Zip Code of Mailing Address:: 97124-5793
Country of Mailing Address:: United States

Assignee Name:: Australian National University
City of Mailing Address:: Canberra
State or Providence of Mailing Address:: Australian Capital Territory (ACT)
Postal or Zip Code of Mailing Address:: 0200
Country of Mailing Address:: Australia

06/09/2008 17:13 FAX 5712730459

USPTO/PCT LEGAL

004/006



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/588,981	FIRST NAMED APPLICANT Roderick Boswell	ATTY. DOCKET NO. F146
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INTERNATIONAL APPLICATION NO.

PCT/US04/34984

LA. FILING DATE 10/16/2004	PRIORITY DATE 10/17/2003
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36919
CHRISTINA KWOK-HAN CHAN
19943 AHWANEE LANE
NORTHRIDGE, CA 91326

25784
Michael O. Scheinberg
PO Box 164140
Austin, TX 78716-4140

Date Mailed: 10/18/2006

CONFIRMATION NO. 2829

371 FORMALITIES LETTER



OC000000020858625

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 08/10/2006
- Request for Immediate Examination filed on 08/10/2006
- U.S. Basic National Fees filed on 08/10/2006

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice MUST be returned with the response.

SHELBY J VIGIL

Telephone: (703) 308-9140 EXT 224

COPY

06/09/2008 17:14 FAX 5712730459

USPTO/PCT LEGAL

005/008

PART 2 - OFFICE COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/588,981	PCT/US04/34984	F146

FORM PCT/DO/EO/805 (371 Formalities Notice)

COPY

PTO-1390 (Rev. 07-2005)

Approved for use through 3/31/2007, OMB 0851-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER F146
INTERNATIONAL APPLICATION NO. PCT/US2004/034984		U.S. APPLICATION NO. (If known, see 37 CFR 1.5)
INTERNATIONAL FILING DATE 16 OCTOBER 2004		PRIORITY DATE CLAIMED 17 OCTOBER 2003
TITLE OF INVENTION CHARGED PARTICLE EXTRACTION DEVICE AND METHOD OF DESIGN THERE FOR		
APPLICANT(S) FOR DO/EO/US Roderick Boswell and Orson Sutherland		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input checked="" type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). 		
Items 11 to 20 below concern document(s) or information included:		
<ol style="list-style-type: none"> 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A preliminary amendment. 14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825. 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the PTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PTO-1390 (Rev. 07-2005)

Approved for use through 3/31/2007. OMB 0651-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)	INTERNATIONAL APPLICATION NO.	ATTORNEY'S DOCKET NUMBER
N/A	PCT/US2004/034984	F146

20. Other items or information:

The following fees have been submitted				CALCULATIONS	PTO USE ONLY
21.	<input checked="" type="checkbox"/>	Basic national fee (37 CFR 1.492(a))	\$300	\$ 300.00	
22.	<input checked="" type="checkbox"/>	Examination fee (37 CFR 1.492(c))		\$ 200.00	
If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)				\$0	
All other situations				\$200	
23.	<input checked="" type="checkbox"/>	Search fee (37 CFR 1.492(b))		\$ 500.00	
If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)				\$0	
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an international searching authority				\$100	
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB				\$400	
All other situations				\$500	
TOTAL OF 21, 22 and 23 =				1,000.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250	\$ 0.00	
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$ 0.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	29 - 20 =	9	x \$ 50	\$ 450.00	
Independent claims	4 - 3 =	1	x \$200	\$ 200.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			0 + \$360	\$ 0.00	
TOTAL OF ABOVE CALCULATIONS =				\$ 1,650.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2					
SUBTOTAL =				\$ 1,650.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(l)).				\$ 0.00	
TOTAL NATIONAL FEE =				\$ 0.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$ 0.00	
TOTAL FEES ENCLOSED =				\$ 1,650.00	
				Amount to be refunded:	\$ 0.00
				Amount to be charged	\$ 1,650.00

PTO-1390 (Rev. 07-2005)

Approved for use through 3/31/2007. OMB 0651-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

- a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. 50-1635 in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-1635. A duplicate copy of this sheet is enclosed.
- d. ☒ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

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E-MAIL: MSCHEINBERG@HBRFIRM.COM



SIGNATURE

MICHAEL O. SCHEINBERG

NAME

36,919

REGISTRATION NUMBER

*** RX REPORT ***

RECEPTION OK

TX/RX NO	5634
RECIPIENT ADDRESS	512 306 1963
DESTINATION ID	
ST. TIME	06/13 11:25
TIME USE	02'01
PGS.	10
RESULT	OK